

FEDERAL ELECTION COMMISSION
Re: MUR 7010

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Sworn statement of Douglas A. Campbell, Treasurer, in Opposition to the Complaint:

1. My name is Douglas A. Campbell.
2. I have been a member in good standing of the Bar of the Commonwealth of Pennsylvania since 1976.
3. Since April, 2015, I have served as Treasurer of Erin McClelland for Congress, the committee for Erin McClelland's campaign to be elected to the United States House of Representatives in November of 2016 (the "Committee").
4. When I became Treasurer, the Committee was continuing to report a \$35,000 obligation to an organization named Stokes, Wasser and Wheeler ("SWW") as a carry-over from Erin McClelland's 2014 Congressional campaign.
5. I had no role in connection with Erin McClelland's 2014 Congressional campaign, other than as a donor.
6. When the Committee's 2015 Annual Report was being prepared, the candidate advised that the campaign had disputed liability for the \$35,000 SWW claim after it was made, that the claim was being made by those formerly in control of the campaign, and that they had made no effort to enforce it since the Fall of 2014.
7. Accordingly, a decision was made to write off the disputed SWW claim, by "zeroing-out" the amount on the Committee's 2015 Annual Report.
8. On February 5, 2016, I received a phone message from Stephen Magley, an attorney I know, indicating he needed to speak with me regarding the Committee's 2015 Annual Report, as filed.

9. Mr. Magley and I spoke, on or about February 9, 2016. He identified himself as counsel for SWW and indicated (i) that his client still intended to enforce its claim, (ii) that his client was going to file a FEC complaint, and (iii) that his client was going to file a civil lawsuit to collect the money it believed it was owed.

10. I told him that I understood that people working with the Committee had disputed the claim, and that no action had been taken to enforce it since then. I also told him that Erin McClelland was not able to locate a copy of a document purporting to be the contract with his client.

11. That same day, after my call with SWW's counsel, I sent him a text message advising him that I was having the report amended to show the SWW debt as disputed, and asking him for (i) a copy of the alleged contract and (ii) a brief narrative or complaint draft that would help in my "internal discussions". That same day, SWW's counsel texted back, "Will do Doug." A copy of this text message exchange is attached hereto as Exhibit "A".

12. Ten days later, on February 19, 2016, the Committee filed an amended January 31 Year-End Report for 2015, and – in Schedule D – showed a \$35,000 debt to SWW, with a note under Nature of Debt that, "This obligation is a disputed claim as to which liability is denied, related to a prior campaign." A copy of this Schedule D is attached hereto as Exhibit "B".

13. Moreover, in Miscellaneous Text (page 5) of the amended January 31 Year-End Report for 2015, the Committee indicated that SWW's objection to the "zeroing-out" of its claim in the initial filing had prompted the amendment.

14. Since February 9, 2016, I have received no further communication from SWW or its counsel.

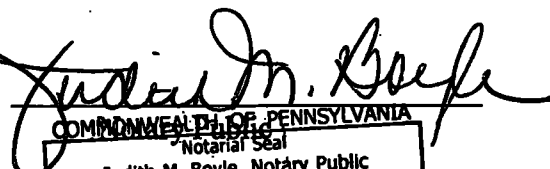
15. The first documentary evidence of a contract with SWW I have seen has just been provided indirectly as Attachment 2 to the Complaint. I can only note after reviewing it that: (i) SWW is not a party to the document, 446, LLP is; (ii) the document is not signed by either Mr. Stokes, Mr. Wasser or Mr. Wheeler in their individual capacities; (iii) apart from the candidate's signature, the only signatures on the document are illegible markings made by persons purporting to act on behalf of 446, LLP (a non-existent entity); and (iv) the form and content of the document reflect poorly on the organizational skills of the drafter.

16. In any case, the merits of the contractual dispute between the Committee and SWW are not a matter to be resolved before the Federal Election Commission. They are a matter properly brought in an appropriate forum as a civil action.

March 2, 2016


Douglas A. Campbell

SWORN to and subscribed before me
this 2nd day of March, 2016.


COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Judith M. Boyle, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires July 12, 2017
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

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Details

Tue, Feb 9, 11:50 AM

Steve,
I have asked to have
the report amended,
to show the debt as
disputed.
If you could send a
brief narrative or
complaint draft, with
the contract, it would
help in my internal
discussions.
Thanks,
-Doug

Delivered

Text Message

Tue, Feb 9, 2:31 PM

Will do Doug



EXHIBIT "A"

Send

100444440001

SCHEDULE D (FEC Form 3)
DEBTS AND OBLIGATIONS
 Excluding Loans

(Use separate
 schedule(s) for
 each numbered
 line)

PAGE 42 / 42
 FOR LINE NUMBER: ☐ 9
☒ 10

NAME OF COMMITTEE (In Full)
 Erin McClelland for Congress, Inc.

Full Name (Last, First, Middle Initial) of Debtor or Creditor Propel Marketing			Nature of Debt (Purpose): website development and social media services (estimated expense)
Mailing Address 108 Myrtle St			
City Quincy	State MA	Zip Code 02171-1753	
Outstanding Balance Beginning This Period 12000.00		Transaction ID: VN5PD9H9T55	
Amount Incurred This Period 0.00	Payment This Period 12000.00	Outstanding Balance at Close of This Period 0.00	
Full Name (Last, First, Middle Initial) of Debtor or Creditor Stokes, Wasser and Wheeler, LLP			Nature of Debt (Purpose): This obligation is a disputed claim as to which liability is denied, related to a prior campaign.
Mailing Address 712 Brookline Blvd Apt 2			
City Pittsburgh	State PA	Zip Code 15226-2164	
Outstanding Balance Beginning This Period 35000.00		Transaction ID: VN5PD9H9T47	
Amount Incurred This Period 0.00	Payment This Period 0.00	Outstanding Balance at Close of This Period 35000.00	

1) SUBTOTALS This Period This Page (optional)	0.00
2) TOTALS This Period (last page this line number only)	35000.00
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)	5400.00
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)	40400.00